

RECEIVED
CENTRAL FAX CENTER

JAN 12 2007

001

PTO/SB/31 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

HSJ9-2003-0258US1

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300
on 1/12/2007

Signature Michael J. HalbertTyped or printed name Michael J. Halbert

In re Application of

James M. Freitag et al.

Application Number

10/779,356

Filed

February 12, 2004

For Capping Layers with High Compressive Stress for
Spin Valve Sensors

Art Unit

2627

Examiner

Mark S. Blouin

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2263

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

Enclosed is a "Pre-appeal Brief Request for Review" (1 page) and the supporting reasons (3 pages)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

attorney or agent of record. Registration number 40,633

attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____

Michael J. Halbert

Signature

Michael J. Halbert

Typed or printed name

408-982-8202

Telephone number

1/12/2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

*Total of 6 forms are submitted.

01/16/2007 TL0111 00000020 10779356

01 FC:1401

500.00 0P